

# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL IRRIGATION DISCHARGE PERMIT GNV0200001

## INSTRUCTIONS

A recent Ninth Circuit Court of Appeals decision found that the direct application of an aquatic herbicide to irrigation canals constitutes a discharge to waters of the United States. As such, agricultural activities incorporating the use of aquatic herbicides and pesticides are regulated under the Clean Water Act (CWA) in addition to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

What this means is that agricultural users of aquatic herbicides must apply for and obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to using FIFRA-regulated chemicals that are applied to irrigation ditches. In response, the Nevada Division of Environmental Protection has developed a General Irrigation Discharge Permit to accommodate the large number of agricultural operations within the State of Nevada. The intent of the General Irrigation Discharge Permit is not to necessarily limit or preclude the use of products commonly used by the agricultural community, but to monitor the number and types of aquatic herbicides used and examine the residual affects of return flows on downstream ditches and ultimate receiving water bodies.

It is important to note that this NPDES General Permit GNV0200001 applies only to those chemicals used for agricultural purposes that are also regulated under FIFRA. Consequently, the Applicant is permitted to use these chemicals only in strict accordance with label instructions and requirements, which are specifically regulated under FIFRA.

To apply for coverage under the NPDES General Permit for Agricultural Applications:

1. Fill out the attached form which requests general information and a list of each chemical product used for agricultural purposes.
2. Attach copies of the Material Safety Data Sheets (MSDS) for each chemical or product listed in the application form.
3. Attach a map illustrating the area to be irrigated and the primary point(s) of return flow to the irrigation ditch or waters of the State. Indicate the direction of flow in the irrigation ditch.
4. Attach a check or money order for the \$200.00 application fee (NAC 445A.268(3)) written to the **Nevada Division of Environmental Protection**. Renewal fees of \$200.00 are due by July 1 of each year the permit remains in effect (NAC 445A.268(5)).
5. Mail the entire package of information, with the application fee, to:

Nevada Division of Environmental Protection  
Bureau of Water Pollution Control  
333 West Nye Lane  
Carson City, Nevada 89706-0851  
Attn: Accounts Receivable

Complete application packages will be used to develop user-specific testing requirements for incorporation under the blanket terms of the General Permit for Agricultural Applications. If the submitted application package is complete, a two (2) to four (4) week review period should be anticipated before receiving the final General Permit for Agricultural Applications. Review times are estimated, but accommodations for alternative schedules may be arranged under time-critical conditions.

Additional questions or inquiries should be directed to Cliff Lawson, Bureau of Water Pollution Control at **(775) 687-4670, extension 3095**.